

So Ordered.

Dated: June 17th, 2020



Frederick P. Corbit

Frederick P. Corbit
Bankruptcy Judge

1

2

3

4

5

6

7

8

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

9

10

In re:

11

GIGA WATT, Inc., a Washington
corporation,

12

Debtor.

13

14

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

**ORDER AUTHORIZING CHAPTER
11 TRUSTEE TO RETAIN
BEVERIDGE & DIAMOND P.C. AS
SPECIAL COUNSEL**

15

16

17

18

19

20

21

22

23

24

25

This matter came to be heard on May 28, 2020 at 1:30 p.m. (the “**Hearing**”). Based upon the record before the Court, including the *Application for Order Approving Employment* filed by the Official Committee of Unsecured Creditors on December 16, 2019 [Doc 436] (the “**Committee Application**”) which the Court granted pursuant to its *Order Approving Employment Under 11 U.S.C. § 1103 for Special Counsel for the Unsecured Creditors Committee*, entered on the docket on February 21, 2020 [Doc 492] (the “**Committee Employment Order**”), and the Court having stated its findings of fact and ORDER AUTHORIZING CHAPTER 11 TRUSTEE TO RETAIN BEVERIDGE & DIAMOND P.C. AS SPECIAL COUNSEL, etc. - Page 1

1 conclusions of law at the Hearing, which are incorporated herein by reference as if
2 set forth fully herein as provided in Rule 7052 of the Federal Rules of Bankruptcy
3 Procedure:

4 **IT IS HEREBY ORDERED**

5 1. That the Trustee is authorized to retain Beveridge & Diamond P.C. as
6 special counsel to the Trustee to conduct formal discovery, under FRBP 2004,
7 with respect to the *Interconnection and Services Agreement* between Giga Watt,
8 Inc. and the Public Utility District No. 1, Douglas County, Washington, dated
9 March 7, 2017, including related agreements and actions of the Public Utility
10 District.

11 2. The employment of Beveridge & Diamond P.C. shall be consistent
12 with the terms and conditions of the Committee Application and of the Committee
13 Employment Order, except that (a) subject to the Court's oral comments at the
14 Hearing and/or the Committee's right to bring further motion, Eric Christensen
15 and Beveridge & Diamond P.C. shall, as of entry of this Order, represent the
16 Chapter 11 Trustee; and (b) the scope of the discovery authorized by this Order is
17 limited to the claims alleged in the Motion of the Committee of Unsecured
18 Creditors for Authorization to File Adversary Proceeding Against Douglas County
19 PUD [Dkt. 533].

20 3. That any actual award of compensation is subject to further order of
21 the court, pursuant to 11 U.S.C. § 330.

22
23
24 **ORDER AUTHORIZING CHAPTER 11 TRUSTEE TO RETAIN BEVERIDGE**
25 **& DIAMOND P.C. AS SPECIAL COUNSEL, etc. - Page 2**

1 **APPROVED AS TO FORM:**

2 **U.S. TRUSTEE'S OFFICE**

3 */s/ James D. Perkins*

4 James D. Perkins, WSBA No.
5 12996
6 *Attorney for U.S. Trustee*

7 **SALISH SEA LEGAL**

8 */s/ Benjamin Ellison*

9 Benjamin Ellison, WSBA No. 48315
10 *Attorney for the Official Committee
11 of Unsecured Creditors*

12 **PAINE HAMBLEN LLP**

13 */s/ Kathryn McKinley*

14 Kathryn McKinley, WSBA No.
15 25105
16 *Attorney for the Public Utility
17 District No. 1 of Douglas County,
18 Washington*

19 **BEVERIDGE & DIAMOND PC**

20 */s/ Eric Christensen*

21 Eric Christensen, WSBA No. 27934
22 *Proposed Special Counsel for
23 Chapter 11 Trustee*

24 **PRESENTED BY:**

25 **POTOMAC LAW GROUP, PLLC**

26 */s/ Pamela M. Egan*

27 Pamela M. Egan, WSBA No. 54736
28 1905 7th Avenue W
29 Seattle, WA 98119
30 (415) 297-0132
31 *Attorneys for Mark D. Waldron, as Chapter 11 Trustee*

32 **/// END OF ORDER ///**

33 .
34 ORDER AUTHORIZING CHAPTER 11 TRUSTEE TO RETAIN BEVERIDGE
35 & DIAMOND P.C. AS SPECIAL COUNSEL, etc. - Page 3